

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-03-0524 WBS EFB

vs.

MICHAEL ANTHONY BLACK,

Movant.

ORDER

Movant, a federal prisoner proceeding pro se, has filed a motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On February 22, 2012, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

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1 1. The findings and recommendations filed February 22, 2012, are adopted in
2 full;

3 2. Respondent's motion to dismiss, Dckt. No. 46, is granted;

4 3. Movant's motion to vacate, set aside or correct sentence, Dckt. No. 41, and his
5 motion to compel specific performance, Dckt. No. 43, is denied; and

6 4. The Clerk is directed to close the companion civil file, No. Civ. S-10-1140
7 WBS EFB.

8 DATED: March 21, 2012

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10 WILLIAM B. SHUBB
11 UNITED STATES DISTRICT JUDGE
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